

## **REMARKS**

Please reconsider the present application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering the present application.

### **I. Disposition of Claims**

Claims 1-16 were pending in the present application. By way of the Response to the Restriction Requirement of July 29, 2003, claims 1-9, 15, and 16 were elected for continued prosecution without traverse. Accordingly, claims 1-9, 15, and 16 are currently pending in the present application. By of this reply, claim 16 and withdrawn claims 10-14 have been canceled without prejudice or disclaimer and claims 1, 5, 6, 8, and 15 have been amended. Also, claims 17 and 18 have been added in this reply.

### **II. Claim Amendments**

Claims 1, 6, and 15 have been amended to recite that the “printing” is based on “an integration of said first print job data and said second print job data.” No new matter has been added by way of these amendments.

Claims 1, 5, 6, 8, and 15 have been amended to replace instances of “staple” with “host device.” No new matter has been added by way of these amendments as support for these amendments may be found, for example, in Figure 15 of the original application.

Claims 17 and 18 have been added in this reply. No new matter has been added and these amended claims are fully supported by, for example, figure 1 of the original application.

### **III. Rejection(s) Under 35 U.S.C § 112**

Claims 1-9 and 15 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention. For the reasons set forth below, reconsideration of this rejection is respectfully requested.

The Examiner stated that the use of the term “staple” in the claims of the present application as filed was unclear due to mutually exclusive meanings of the term “staple.” Applicant notes that the term “staple” in the claims of the present application as filed was inadvertently included in the claims where the term “host device” was intended to have been used. Accordingly, by way of this reply, claims 1, 5, 6, 8, and 15 have been amended to replace instances of “staple” with “host device.” Thus, withdrawal of the § 112, second paragraph rejection is respectfully requested.

### **IV. Rejection(s) under 35 U.S.C § 102**

Claims 1-9, 15, and 16 were rejected under 35 U.S.C. § 102(b) as being anticipated by the computer-generated English translation of Japanese Patent Publication No. 09-174956 assigned to Fuji Xerox Co. Ltd. (hereinafter “Fuji”). For the reasons set forth below, this rejection is respectfully traversed.

The present invention is directed to a printer that performs reconstructing print data for a plurality of previously inputted print jobs in accordance with a subsequently inputted print job. The plurality of previously inputted print jobs are integrated such that the printer is able to perform a single printing operation for the plurality of previously inputted print jobs (*i.e.*, a first print job data) in accordance with a subsequently inputted print job (*i.e.*, a second print job data).

Accordingly, amended independent claims 1, 6, and 15 of the present application require, in part, that the printing occur based on a integration of first inputted print job data and second inputted print job data in accordance with the second inputted print job data further sent from the host device.

Fuji, in contrast, fails to disclose all the limitations of amended independent claims 1, 6, and 15 of the present application. A mechanism of a control device for a printer disclosed in Fuji *always* performs such that a printer prints out without pending print data once the device receives a print job sent from an external device. Specifically, as shown in Figures 5 and 6 of Fuji, the device 10 receives a print job (S1 of Figure 5), instructs the printer to print out (S5), and thereafter the printer executes printing (S8). Namely, in Fuji, a print job sent from the external device is always printed out and is not integrated with a subsequent second print job further sent from the external device. The device merely generates a new print job in accordance with operating a user interface on the device (S18-S21). Thus, Fuji fails to disclose an arrangement in which the printing is based on, in accordance with second print job data sent from the host device, an integration of the first print job data and the second print job data as required by amended independent claims 1, 6, and 15 of the present application.

In view of the above, the Fuji reference fails to show or suggest the present invention as recited in amended independent claims 1, 6, and 15 of the present application. Thus, amended independent claims 1, 6, and 15 of the present application are patentable over Fuji. Dependent claims are also allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

New claims 17 and 18 have been added in this reply. Claim 17 includes the limitation “a job type judging unit for judging a type of a print job data sent from said host device.”

Accordingly, the claimed invention can read the print data from the storage unit if the type of the print job data is a job control data.

In contrast, Fuji does not disclose at least the limitation recited in claim 17. Fuji merely discloses the printer that selects a page from a plurality of print jobs using the user interface on the control device. Therefore, Fuji fails to show or suggest the claimed invention as recited in new claim 17. Thus, claim 17 is patentable over Fuji. Dependent claim 18 is also patentable for at least the same reason. Accordingly, entry and allowance of new claims 17 and 18 is respectfully requested.

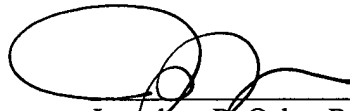
**V. Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04783.014001).

Date: \_\_\_\_\_

1/27/04

Respectfully submitted,



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